

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4799 of 2023

Petitioner :- Ranjeet And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Others

Counsel for Petitioner :- Ramakar Shukla, Abhinav Singh

Counsel for Respondent :- G.A.

Hon'ble Dinesh Kumar Singh, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

Heard learned counsel for the petitioners as well as learned A.G.A. for the State-respondents.

The present writ petition under Article 226 of the Constitution of India has been filed for quashing of the F.I.R. No.0186/2023 under Sections 376D, 323, 506 IPC, Police Station Baghauli, District Hardoi.

The F.I.R. in question has been registered by an order passed on an application under Section 156(3) Cr.P.C. filed by the complainant. The application under Section 156(3) Cr.P.C. was given on 18.03.2023 in respect of the alleged incident which took place on 08.03.2023.

Learned counsel for the petitioners submits that the allegations in the F.I.R. are false and concocted. The mother of petitioner No.1 was assaulted by husband of the complainant and her other family members for which the F.I.R. No.0106 of 2023 registered on 26.03.2023 under Sections 452, 323, 504, 506 IPC at Police Station Baghauli, District Hardoi. The complainant has implicated the entire family members of the petitioners.

We find some substance in the submission advanced on behalf of learned counsel for the petitioners and therefore, we

disposed of this writ petition with direction to the Investigating Officer that he should carry out the investigation in a free, fair and impartial manner and till some credible evidence is collected or found against the petitioners, they shall not be arrested in relation to the F.I.R. in question however, they shall cooperate in the investigation.

Order Date :- 22.6.2023

Saurabh Yadav/-

(Syed Qamar Hasan Rizvi,J) (Dinesh Kumar Singh,J)